

Mr. President, I am pleased that the Senate has unanimously confirmed Curt Hebert as a member of the FERC, ensuring that the future of the electric utility industry is in good hands. I congratulate him on this accomplishment and wish him the best of luck in the future.

NOMINATION OF JERRY FRIEDMAN

Mr. LEAHY. Mr. President, I commend the majority leader for deciding to take up the nomination of Jerry Friedman to serve as a judge for the Eastern District of Virginia. Judge Friedman's nomination was received by the Judiciary Committee on June 26, 1997. He appeared before us during a nomination hearing on October 28 and was reported favorably out of the committee on November 6.

From June 1985 to January 1991, Judge Friedman sat on the bench of the Juvenile and Domestic Relations District Court in Virginia Beach, VA. Since 1991, he has served as a judge for the Virginia Beach Circuit Court. The American Bar Association gave Judge Friedman a unanimous "well-qualified" evaluation—its highest rating.

I would like to congratulate both Judge Friedman and his family. I look forward to his service on the U.S. District Court.

NOMINATION OF NORMAN MOON

I am delighted that the majority leader has taken up the nomination of Norman Moon to serve as a U.S. District Court judge for the Western District of Virginia. Judge Moon has been sitting on the bench of Virginia State courts since 1974. He is currently serving as the chief judge for the Virginia State Appellate Court—a position which he has held since May 1, 1993.

Judge Moon has been a member of several legal and judicial-related organizations, including the National Institute of Trial Advocacy, the State-Federal Judicial Council for Virginia, and the National Council of Chief Judges.

We received Judge Moon's nomination on October 8, 1997. He appeared before the Judiciary Committee during a hearing on October 28 and he was reported favorably out of the Committee on November 6.

I congratulate Judge Moon and his family on his accomplishment and I look forward to his service as a U.S. District Court judge.

I would like to note that the nomination process experienced by Judge Moon has been the exception, not the rule, for this year. I hope that more judicial nominees will enjoy a similar experience in the future.

NOMINATION OF STANLEY MARCUS

I am delighted that the majority leader has decided to take up the nomination of Stanley Marcus to serve as a judge for the Eleventh Circuit Court of Appeals. Judge Marcus is a graduate of Queens College of the City University of New York and the Harvard Law School.

Since 1985, Judge Marcus has served as a Federal district court judge for the

Southern District of Florida. Prior to his Federal judgeship, Judge Marcus was employed as a special attorney, deputy chief and chief for the organized crime and racketeering section of the U.S. Department of Justice Detroit strike force.

The committee received Judge Marcus' nomination on September 25, 1997. He appeared before us during a nominations hearing on October 28 and was reported favorably out of the Judiciary Committee on November 6.

I congratulate Judge Marcus and his family, and look forward to his service on the U.S. Court of Appeals. Additionally, I would like to commend my fellow committee members on the expediency of this nomination. If all judicial nominations were advanced as efficiently as Mr. Marcus', the vacancy crisis facing the Federal judiciary would be easily solved.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there now be a period for morning business until 7:30 p.m. with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a withdrawal and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on November 7, 1997, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 2367. An Act to amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans.

The enrolled bill was signed subsequently by the President pro tempore [Mr. THURMOND].

MESSAGES FROM THE HOUSE

At 11:32 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 858) to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 967. An act to prohibit the use of United States funds to provide for the participation of certain Chinese officials in international conferences, programs, and activities and to provide that certain Chinese officials shall be ineligible to receive visas and excluded from admission to the United States.

H.R. 2358. An act to provide for improved monitoring of human rights violations in the People's Republic of China.

H.R. 2386. An act to implement the provisions of the Taiwan Relations Act concerning the stability and security of Taiwan and United States cooperation with Taiwan on the development and acquisition of defensive military articles.

H.R. 2570. An act to condemn those officials of the Chinese Communist Party, the Government of the People's Republic of China, and other persons who are involved in the enforcement of forced abortions by preventing such persons from entering or remaining in the United States.

H.R. 2605. An act to require the United States to oppose the making of concessional loan by international financial institutions to any entity in the People's Republic of China.

At 7:15 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 2616. An act to amend titles VI and X of the Elementary and Secondary Education Act of 1965 to improve and expand charter schools.

H.R. 2647. An act to ensure that commercial activities of the People's Liberation Army of China or any Communist Chinese military company in the United States are monitored and are subject to the authorities under the International Emergency Economic Powers Act.

H.J. Res. 101. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2264) making appropriations for the Departments of Labor, Health, and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

ENROLLED JOINT RESOLUTION SIGNED

The message further announced that the Speaker pro tempore (Mr. LATOURETTE) has signed the following enrolled joint resolution:

H.J. Res. 101. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

The enrolled joint resolution was signed subsequently by the Acting President pro tempore [Mr. ROBERTS].

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 967. An act to prohibit the use of United States funds to provide for the participation of certain Chinese officials in international conferences, programs, and activities and to provide that certain Chinese officials shall be ineligible to receive visas and excluded from admission to the United States; to the Committee on Foreign Relations.

H.R. 2358. An act to provide for improved monitoring of human rights violations in the People's Republic of China; to the Committee on Foreign Relations.

H.R. 2386. An act to implement the provisions of the Taiwan Relations Act concerning the stability and security of Taiwan and United States cooperation with Taiwan on the development and acquisition of defensive military articles; to the Committee on Foreign Relations.

H.R. 2570. An act to condemn those officials of the Chinese Communist Party, the Government of the People's Republic of China, and other persons who are involved in the enforcement of forced abortions by preventing such persons from entering or remaining in the United States; to the Committee on Foreign Relations.

H.R. 2605. An act to require the United States to oppose the making of concessional loan by international financial institutions to any entity in the People's Republic of China; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:

H.R. 2366. A bill to transfer to the Secretary of Agriculture the authority to conduct the census of agriculture, and for other purposes (Rept. No. 105-141).

By Mr. CHAFEE, from the Committee on Environment and Public Works, with an amendment:

S. 1287. A bill to assist in the conservation of Asian elephants by supporting and providing financial resources for the conservation programs of nations within the range of Asian elephants and projects of persons with demonstrated expertise in the conservation of Asian elephants (Rept. No. 105-142).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1115. A bill to amend title 49, United States Code, to improve one-call notification process, and for other purposes (Rept. No. 105-143).

By Mr. THOMPSON, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute:

S. 222. A bill to establish an advisory commission to provide advice and recommenda-

tions on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies (Rept. No. 105-144).

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

H.R. 1787. A bill to assist in the conservation of Asian elephants by supporting and providing financial resources for the conservation programs of nations within the range of Asian elephants and projects of persons with demonstrated expertise in the conservation of Asian elephants.

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:

S. 845. A bill to transfer to the Secretary of Agriculture the authority to conduct the census of agriculture, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. SHELBY, from the Select Committee on Intelligence:

Robert M. McNamara, Jr., of Maryland, to be General Counsel of the Central Intelligence Agency.

(The above nomination was reported with the recommendation that he be confirmed.)

By Mr. THURMOND, from the Committee on Armed Services:

Robert M. Walker, of Tennessee, to be Under Secretary of the Army.

Jerry MacArthur Hultin, of Virginia, to be Under Secretary of the Navy.

F. Whitten Peters, of the District of Columbia, to be Under Secretary of the Air Force.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

The following Air National Guard of the U.S. officer for appointment in the Reserve of the Air Force, to the grade indicated under title 10, United States Code, section 12203:

To be brigadier general

Col. Ronald A. Turner, 0000

The following-named officer for appointment in the U.S. Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be general

Lt. Gen. John P. Jumper, 0000

The following-named officer for appointment in the U.S. Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. Frank B. Campbell, 0000

The following-named officer for appointment in the U.S. Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. David W. McIlvoy, 0000

The following-named officer for appointment in the U.S. Air Force to the grade indicated while assigned to a position of impor-

tance and responsibility under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Lansford E. Trapp, Jr., 0000

The following-named officer for appointment in the U.S. Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. David J. McCloud, 0000

The following-named officer for appointment in the U.S. Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. Patrick K. Gamble, 0000

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, United States Code, section 12203:

To be brigadier general

Col. Howard L. Goodwin, 0000

The following-named officers for appointment in the Reserve of the Army to the grades indicated under title 10, United States Code, section 12203:

To be major general

Brig. Gen. David R. Bockel, 0000
Brig. Gen. James G. Browder, Jr., 0000
Brig. Gen. Melvin R. Johnson, 0000
Brig. Gen. J. Craig Larson, 0000
Brig. Gen. Rodney D. Ruddock, 0000

To be brigadier general

Col. Celia L. Adolphi, 0000
Col. Donna F. Barbish, 0000
Col. Emile P. Bataille, 0000
Col. Joel G. Blanchette, 0000
Col. George F. Bowman, 0000
Col. Gary R. DiLallo, 0000
Col. Douglas O. Dollar, 0000
Col. Russell A. Eggers, 0000
Col. Sam E. Gibson, 0000
Col. Fred S. Haddad, 0000
Col. Karol A. Kennedy, 0000
Col. Dennis E. Klein, 0000
Col. Duane L. May, 0000
Col. Robert S. Silverthorn, Jr., 0000
Col. James T. Spivey, Jr., 0000
Col. William B. Watson, Jr., 0000
Col. Charles E. Wilson, 0000

The following-named officer for appointment in the Reserve of the Army to the grade indicated under title 10, United States Code, section 12203:

To be brigadier general

Col. David R. Irvine, 0000.

The following-named officer for appointment in the U.S. Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be vice admiral

Vice Adm. William J. Fallon, 0000

(The above nominations were reported with the recommendations that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HELMS (for himself, Mr. GLENN, Mr. DEWINE, and Mr. FAIRCLOTH):